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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,578	03/07/2002	Gang Wu	4035-0146P	7931
2292	7590	07/19/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			GREY, CHRISTOPHER P	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/091,578

Applicant(s)

WU ET AL.

Examiner

Christopher P. Grey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims **g** and 3 are rejected under 35 U.S.C. 102(a) as being anticipated by Krishnarajah et al. (US 2002/0191556), hereinafter referred to as Krishnarajah Claim **g**. Krishnarajah discloses a basic access network providing a common control/signaling channel to communicate with participant networks in the network system (fig 6A, a number of signals are sent to and from the access network to the networks containing the MS and the network containing the SGSN);

Krishnarajah discloses two or more wireless communication service systems (see fig 5 elements 528, 524, 520).

Krishnarajah discloses a common core network connected to the basic access network and the wireless communication service systems (see fig 1, core network 16 is connected to the access network 12).

Krishnarajah discloses a basic access network enabling communication between a basic access component provided in a mobile host as a network access means (see fig 2 elements 30 and 33 in communication with the BS 28 of the access network ) and widely deployed basic access network base station (element 28 in fig 2), and

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establishing a basic access network channel implemented together with a two way radio interface (paragraph 0043/Um and Para 0054).

Krishnarajah discloses a basic access network protocol being used between the basic access network and the common core network as an integrated protocol (see fig 1, the communication between elements 16 and 12, where inherently, some form of protocol must be used for communication, this protocol being equivalent to the claimed protocol).

Claim 3 Krishnarajah discloses transmission base stations and reception base stations disposed within a basic access network (elements 38 in fig 2 and elements 28 in fig 5)

Krishnarajah discloses each of said transmission base stations transmitting downlink data to the basic access component (element 33 in fig 2) provided in the mobile host located in an area within a radius of several to several tens of kilometers of the transmission base station (see fig 2), where Krishnarajah discloses a base station serving a cell, where a cell is known to serve a radius of a few kilometers (Para 0040).

Krishnarajah discloses each of said reception base stations receives uplink data from the basic access component provided in the mobile host located in an area within a radius of several to several tens of kilometers of the reception base station, where the base stations are dedicated for transmission and reception.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnarajah et al. (US 2002/0191556) in view of Hogan et al. (US 2003/0040314) hereinafter referred to as Hogan.

Claim 2 Krishnarajah discloses a basic access component as well as a radio module (element 100 in fig 2) that can be connected to at least two other radio systems, a locator and a controller (element 31 in fig 2). And the basic access component is formed by software radio or hardware.

Krishnarajah does not specifically disclose a user interface and a locator. However Hogan discloses within a mobile host, a user interface (element 38 in fig 7)

3. Hogan also discloses dedicated circuitry for dealing with location information (see Para 0041).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the user interface and circuitry as disclosed by Hogan, within the mobile host as disclosed by Krishnarajah. The motivation for this combination is to allow user access and to keep a constant visual of location information.

Claim 4 Krishnarajah discloses transmission base stations and

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reception base stations disposed within a basic access network (elements 38 in fig 2 and elements 28 in fig 5)

Krishnarajah discloses each of said transmission base stations transmitting downlink data to the basic access component (element 33 in fig 2) provided in the mobile host located in an area within a radius of several to several tens of kilometers of the transmission base station (see fig 2), where Krishnarajah discloses a base station serving a cell, where a cell is known to serve a radius of a few kilometers (Para 0040).

Krishnarajah discloses each of said reception base stations receives uplink data from the basic access component provided in the mobile host located in an area within a radius of several to several tens of kilometers of the reception base station, where the base stations are dedicated for transmission and reception.

Claim 5, 6, 7, 8 Krishnarajah discloses the basic access network having at least one, a combination, or all of:

A function for invoking the mobile host,

Krishnarajah discloses sending a message from the basic access network to the mobile station (element 3-6 and 3-7 in fig 3), where that message contains header information equivalent to locational information (source and destination addresses).

Krishnarajah does not specifically disclose a function for processing a notification of locational information from the communication terminal.

Krishnarajah discloses performing handover with a heterogeneous radio system (see Para 0071 and 0075).

Hogan discloses a function for processing a notification of locational information from the communication terminal, where Hogan depicts a processor for doing so (Para 0042)

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the processor as disclosed within Hogan's invention, within the radio access network as disclosed by Krishnarajah. The motivation for this combination is to process locational information received from the mobile host.

### ***Response to Arguments***

3. Applicant's arguments filed on 01 May, 2006 have been fully considered but they are not persuasive.

(a) The applicant argues that the cited art does not disclose the applicants description of a basic access network which provides a common control/signaling channel to communicate participant networks in the network system and a BAN channel which is implemented together with a special two way radio interface and which is independent of a radio interface for accessing the service network.

In response to the applicants arguments, the examiner notes that there is not disclosure within Claim 9, the specifies the independence of a radio interface for accessing the service network (please revise arguments). Furthermore, the examiner contends that Krishnarajah discloses a common control/signaling channel to communicate with participant networks. In order to clarify the Krishnarajah disclosure,

the examiner makes reference to fig 6A, which depicts the access network signaling a number of components (SGSN and GGSN) within the core network.

### ***Conclusion***

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 7:30-5:00.

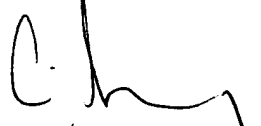
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571)272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

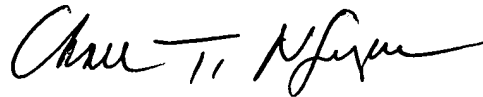


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Grey  
Examiner  
Art Unit 2616

  
7/13/06



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